

Att to
#7

032751-012
Attorney's Docket No.



**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY OR DESIGN PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NOVEL IMPLANT AND NOVEL VECTOR FOR THE TREATMENT OF ACQUIRED DISEASES

RECEIVED

the specification of which (check only one item below):

is attached hereto.

was filed as United States application
Number _____ on _____
and was amended on _____ (if applicable).

was filed as PCT international application
Number PCT FR95/01171 on September 13, 1995
and was amended on _____ (if applicable).

JUN 17 2002

Technology Center 2100

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §§119 (a)-(d), 172 or 365 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

| PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §§119(a)-(d), 172 or 365: | | | |
|--|--------------------|--------------------------------------|--|
| COUNTRY (If PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 U.S.C. §§119, 172 or 365 |
| France | 94 10911 | 13/09/1994 | X Yes No |
| | | | Yes No |
| | | | Yes No |
| | | | Yes No |
| | | | Yes No |

Combined Declaration and Power of Attorney
for Utility or Design Patent Application
Attorney's Docket No. 032751-012
Page 2 of 2

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

| | | | | | |
|---------------------------|--------|-------------------------|--------|------------------------|--------|
| William L. Mathis | 17,337 | Eric H. Weishan | 30,505 | Bruce T. Wieder | 33,815 |
| Robert S. Swecker | 19,885 | James W. Peterson | 26,057 | Todd R. Walters | 34,040 |
| Platon N. Mandros | 22,124 | Teresa Stanek Rea | 30,427 | Ronni S. Jilions | 31,979 |
| Benton S. Duffett, Jr. | 22,030 | Robert E. Krebs | 25,885 | Harold R. Brown III | 36,341 |
| Norman H. Stupno | 22,716 | William C. Rowland | 30,888 | Allen R. Baum | 36,086 |
| Ronald L. Grudziecki | 24,970 | T. Gene Dillahunt | 25,423 | Brian P. O'Shaughnessy | 32,747 |
| Frederick G. Michaud, Jr. | 26,003 | Patrick C. Keane | 32,858 | Kenneth B. Leffler | 36,075 |
| Alan E. Kopecki | 25,813 | B. Jefferson Boggs, Jr. | 32,344 | Fred W. Hathaway | 32,236 |
| Regis E. Slatter | 26,999 | William H. Benz | 25,952 | Wendi L. Weinstein | 34,456 |
| Samuel C. Miller, III | 27,360 | Peter K. Skiff | 31,917 | Mary Ann Dillahunt | 34,576 |
| Robert G. Mukai | 28,531 | Richard J. McGrath | 29,195 | Donna M. Meuth | 36,607 |
| George A. Hovanec, Jr. | 28,223 | Matthew L. Schneider | 32,814 | Mark R. Krcsloff | 42,766 |
| James A. LaBarre | 28,632 | Michael G. Savage | 32,596 | | |
| E. Joseph Gees | 28,510 | Gerald F. Swiss | 30,113 | | |
| R. Danny Huntington | 27,903 | Charles F. Wicklund III | 33,096 | | |


21839

and: Christopher L. North, Ph.D., Reg. No. 50,433

Address all correspondence to:



Norman H. Stepno
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

21839

Address all telephone calls to: Christopher L. North at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | |
|--|--|--|
| FULL NAME OF SOLE OR FIRST INVENTOR | | Pierre LEROY |
| Signature | |  |
| Date | | May 29 th , 2002 |
| Residence (City, State, Country) | | Ernolsheim-lès-Saverne |
| Citizenship | | France |
| Mailing Address | | 122, rue Principale |
| City, State, ZIP, Country | | Ernolsheim-lès-Saverne, France |
| FULL NAME SECOND INVENTOR, IF ANY | | Majid MEHTALI |
| Signature | |  |
| Date | | May 23 rd , 2002 |
| Residence (City, State, Country) | | Plobsheim, France |
| Citizenship | | France |
| Mailing Address | | 12 rue du General Leclerc |
| City, State, ZIP, Country | | 67115 Plobsheim, France |

Attorney's Docket No. 032751-012 and 032751-066**STATEMENT UNDER 37 C.F.R. § 3.73(b)**Applicant/Patent Owner: Transgene S.A.Application No./Patent No.: 08/809,110Filed/Issue Date: March 31, 1997and Application No./Patent No.: 09/927,933Filed/Issue Date: August 13, 2001Entitled: NOVEL IMPLANT AND NOVEL VECTOR FOR THE TREATMENT OF ACQUIRED DISEASESTRANSGENE S.A.

(Name of Assignee)

a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of an undivided part interest in the patent application/patent identified above by virtue of either:
 - A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 8533, Frame 0703, or for which a copy thereof is attached.

OR

- B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Strasbourg, 11.04.02

Date: _____

Signature

Gilles BELANGER
Typed or printed name
Chief Executive Officer.

Title

Patent
Attorney's Docket No. 032751-066

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Pierre LEROY

Application No.: 09/927,933

Filed: August 13, 2001

For: NOVEL IMPLANT AND NOVEL
VECTOR FOR THE TREATMENT
OF ACQUIRED DISEASES

Group Art Unit: 2171

Examiner: Unassigned

PETITION TO CORRECT INVENTORSHIP
PURSUANT TO 37 C.F.R. §1.48(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby petitions, pursuant to 37 C.F.R. § 1.48(a), to correct the inventorship of the above-identified application.

Pursuant to 37 C.F.R. § 1.48(a)(1), Applicant states that the correct inventive entity of the present application is Pierre Leroy and Majid Mehtali. Accordingly, Applicant requests that Majid Methali be added as a coinventor in the present application.

Pursuant to 37 C.F.R. § 1.48(a)(2), this petition is also accompanied by a statement of each person being added as an inventor that the error in inventorship occurred without deceptive intention on his part.

Pursuant to 37 C.F.R. § 1.48(a)(3), this petition is also accompanied by a Declaration by the actual inventors as required by 37 C.F.R. §1.63. The present application was filed under 37 C.F.R. § 1.53(b) as a continuation of Application No.

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Filed 10-10-02 CSS
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08/809,110. Accordingly the newly executed Declaration by the actual inventors as required by 37 C.F.R. §1.63(d)(iv) is a copy of the declaration filed concurrently with a petition under 37 C.F.R. § 1.48(a) in the parent application.

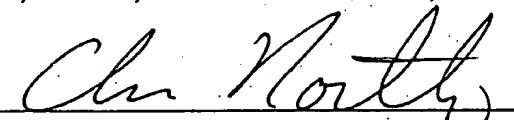
Pursuant to 37 C.F.R. § 1.48(a)(4), attached hereto is the fee set forth in 37 C.F.R. § 1.17(i).

Finally, pursuant to 37 C.F.R. § 1.48(a)(5), this petition is also accompanied by a document showing the written consent of the assignee.

In view of the above, Applicant hereby petitions that the inventive entity be changed from Pierre Leroy to Pierre Leroy and Majid Mehtali.

This Petition is accompanied by the fee set forth in 37 C.F.R. §1.17(i). No further fees are believed to be due by this paper. Nevertheless, the Commissioner is hereby authorized to charge any further fees under 37 C.F.R. §§1.116 and 1.117 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
Christopher L. North
Registration No. 50,433

Post Office Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: June 10, 2002

032751-012
Attorney's Docket No.

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY OR DESIGN PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NOVEL IMPLANT AND NOVEL VECTOR FOR THE TREATMENT OF ACQUIRED DISEASES

the specification of which (check only one item below):

is attached hereto.

was filed as United States application
Number _____ on _____
and was amended _____ on _____ (if applicable).

was filed as PCT international application
Number PCT FR95/01171 on September 13, 1995
and was amended _____ on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §§119 (a)-(d), 172 or 365 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

| PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §§119(a)-(d), 172 or 365 | | | |
|---|--------------------|--------------------------------------|--|
| COUNTRY (If PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 U.S.C. §§119, 172 or 365 |
| France | 84 10911 | 13/09/1994 | X Yes No |
| | | | Yes No |
| | | | Yes No |
| | | | Yes No |
| | | | Yes No |

Combined Declaration and Power of Attorney
for Utility or Design Patent Application
Attorney's Docket No. 032751-012
Page 2 of 2

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

| | | | | | |
|---------------------------|--------|-------------------------|--------|------------------------|--------|
| William L. Mathis | 17,337 | Eric H. Weiszblum | 30,505 | Bruce T. Wieder | 33,815 |
| Robert S. Swecker | 19,885 | James W. Peterson | 26,057 | Todd R. Walters | 34,040 |
| Plam N. Mandros | 22,124 | Teresa Stanek Rea | 30,427 | Ronni S. Jilions | 31,979 |
| Benson S. Dufelt, Jr. | 22,030 | Robert E. Krebs | 25,885 | Harold R. Brown (J) | 36,341 |
| Norman H. Stepno | 22,716 | William C. Rowland | 30,888 | Allen R. Baum | 36,086 |
| Ronald L. Grudziecki | 24,970 | T. Gene Dillahunty | 25,423 | Brian P. O'Shaughnessy | 32,747 |
| Frederick G. Michaud, Jr. | 26,003 | Patrick C. Keane | 32,858 | Kenneth H. Leffler | 36,073 |
| Alan E. Kupczik | 25,813 | B. Jefferson Boggs, Jr. | 32,344 | Fred W. Hathaway | 32,236 |
| Regis E. Slutter | 26,999 | William H. Benz | 23,932 | Wendi L. Weinstein | 34,456 |
| Samuel C. Miller, III | 27,360 | Peter K. Skiff | 31,917 | Mary Ann Dillahunty | 34,576 |
| Robert G. Mukai | 28,531 | Richard J. McGrath | 29,195 | Donna M. Meuth | 36,607 |
| George A. Hovanec, Jr. | 28,223 | Matthew L. Schneider | 32,814 | Mark R. Krasloff | 42,766 |
| James A. LaBarro | 28,632 | Michael G. Savage | 32,596 | | |
| E. Joseph Geiss | 28,510 | Gerald F. Swiss | 30,113 | | |
| R. Danny Huntington | 27,903 | Charles F. Wieland III | 33,096 | | |

21839

and: Christopher L. North, Ph.D., Reg. No. 50,433

Address all correspondence to:



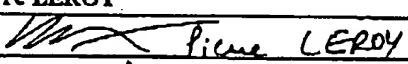
Norman H. Stepno
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

21839

Address all telephone calls to: Christopher L. North

at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | |
|--|--|--|
| FULL NAME OF SOLE OR FIRST INVENTOR | | Pierre LEROY |
| Signature | |  |
| Date | | May 29 th , 2002 |
| Residence (City, State, Country) | | Ernolsheim-lès-Saverne |
| Citizenship | | France |
| Mailing Address | | 122, rue Principale |
| City, State, ZIP, Country | | Ernolsheim-lès-Saverne, France |
| FULL NAME SECOND INVENTOR, IF ANY | | Majid MEHTALI |
| Signature | |  |
| Date | | May 23 rd , 2002 |
| Residence (City, State, Country) | | Plobsheim, France |
| Citizenship | | France |
| Mailing Address | | 12 rue du General Leclerc |
| City, State, ZIP, Country | | 67115 Plobsheim, France |

(01/02)

Attorney's Docket No. 032751-012 and 032751-066**STATEMENT UNDER 37 C.F.R. § 3.73(b)**Applicant/Patent Owner: Transgene S.A.Application No./Patent No.: 08/809,110Filed/Issue Date: March 31, 1997and Application No./Patent No.: 09/927,933Filed/Issue Date: August 13, 2001Entitled: NOVEL IMPLANT AND NOVEL VECTOR FOR THE TREATMENT OF ACQUIRED DISEASESTRANSGENE S.A.
(Name of Assignee)acorporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of an undivided part interest in the patent application/patent identified above by virtue of either:
 - A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 8533, Frame 0703, or for which a copy thereof is attached.

OR

- B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

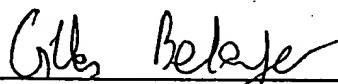
 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Strasbourg, 11.04.02

Date: _____



Signature

Gilles BELANGERTyped or printed name
Chief Executive Officer.

Title

Patent
Attorney's Docket No. 032751-066

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Pierre LEROY

Application No.: 09/927,933

Filed: August 13, 2001

For: NOVEL IMPLANT AND NOVEL
VECTOR FOR THE TREATMENT
OF ACQUIRED DISEASES

Group Art Unit: 2171

Examiner: Unassigned

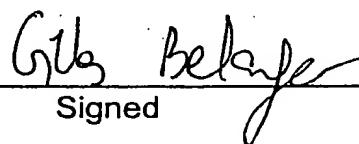
CONSENT OF ASSIGNEE TO CHANGE IN INVENTORSHIP
PURSUANT TO 37 C.F.R. §1.48(a)(4)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Assignee TRANSGENE S.A. hereby consents to amendment of the
inventorship of the above-identified application by adding Majid Mehtali as
coinventor in the present application with Pierre Leroy.

Strasbourg, 11.04.02
Date



Signed

Gilles BELANGER
Typed or Printed Name

Chief Executive Officer,

Title



Patent #8
Attorney's Docket No. 032751-066 6-25-02
P.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Pierre LEROY

Application No.: 09/927,933

Filed: August 13, 2001

For: NOVEL IMPLANT AND NOVEL
VECTOR FOR THE TREATMENT
OF ACQUIRED DISEASES

Group Art Unit: 2171

Examiner: Unassigned

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JUN 17 2002

Technology Center 2100

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Majid Mehtali, hereby declare that the erroneous omission of my name as an inventor of the above-cited application occurred without deceptive intention.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: April 8th, 2002

By: Majid Mehtali
Majid Mehtali